

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

IN RE:

Case No. 06-54573

MIGUEL ANGEL HINOJOSA and
MARIA ARACELY HINOJOSA,

Chapter 13

Judge Thomas J. Tucker

Debtor.

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ORDER DENYING MOTION FOR RECONSIDERATION

This case comes before the Court on Debtors' "Motion to Vacate Dismissal," filed on January 10, 2007 (Docket # 27), which this Court construes as a motion for reconsideration, and

The Court having reviewed and considered the motion for reconsideration, and

The Court finds the motion fails to demonstrate a palpable defect by which the Court and the parties have been misled, and that a different disposition of the case must result from a correction thereof. *See* Local Rule 9024-1(c).

In addition, the Court notes that Debtor is incorrect in arguing that the 2005 amendments to the Bankruptcy Code (BAPCPA) do not apply to this case. They clearly do; this case was filed on October 11, 2006, almost a year after the generally-effective date of BAPCPA (October 17, 2005). (And the Court notes that Debtor's counsel obviously knew this, and in fact earlier filed, in this case, a Chapter 13 means test form (Official Form 22C) on October 26, 2006 (Docket #9).

NOW, THEREFORE,

IT IS ORDERED that the motion for reconsideration should be, and hereby is, DENIED.

Signed on January 22, 2007

/s/ Thomas J. Tucker

Thomas J. Tucker

United States Bankruptcy Judge